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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/531,735	03/21/2000	Shalom Levin	EPLC/03	7129
30954 7590 12/21/2006 LATHROP & GAGE LC 2345 GRAND AVENUE SUITE 2800 KANSAS CITY, MO 64108			EXAMINER KOVACS, ARPAD F	
			ART UNIT 3671	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		12/21/2006	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

09/531,735

Applicant(s)

LEVIN ET AL.

Examiner

Árpád Fábíán Kovács

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 02 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 9-22 and 33-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9-22, 33-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “force receiving members” (cl. 9) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

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### Claim Rejections - 35 USC § 102

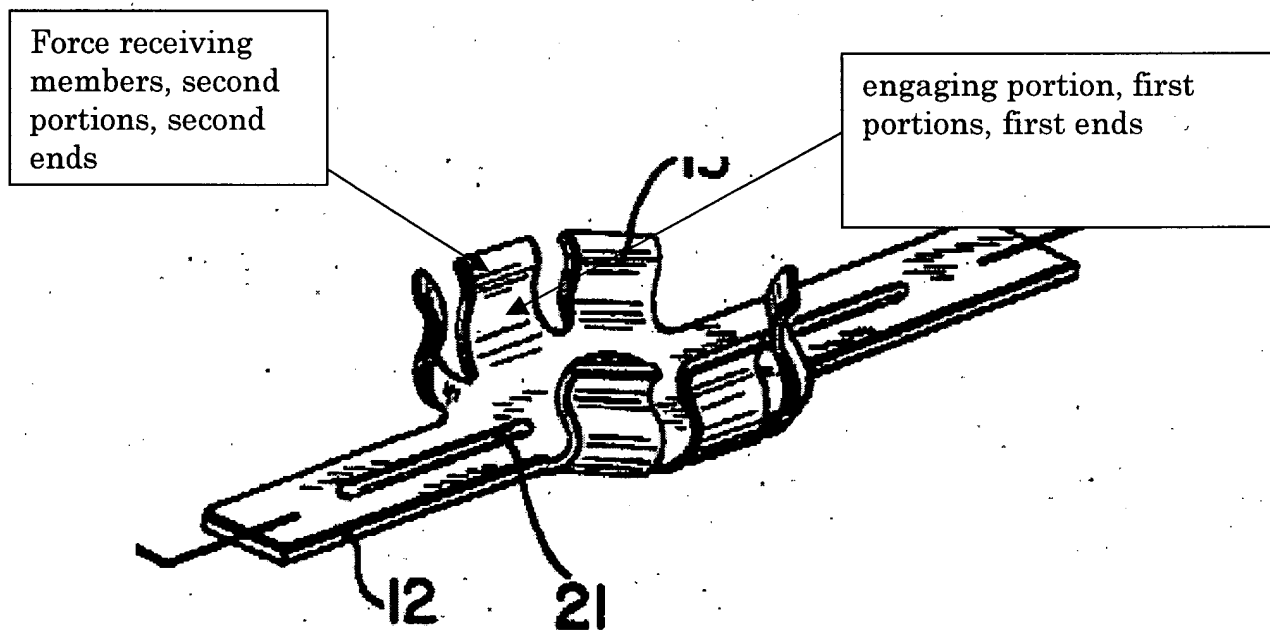
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim(s) 9-22, new claims 33-35 are rejected under 35 U.S.C. 102(b) as being anticipated by Weber (part of record, 413).

As shown in the marked up figures below, Weber discloses:



independent cl. 9:

lawnmower blade assembly comprising:

a shaft (15);

a stub (hub 14; groove 19 & cylindrical portion 20) in communication with shaft (fig 2);

a blade (12);

a receiver coupled to the blade (fig 2) including:

a receiving portion (central web 22);

flexible members (spring clips 13) including:

engaging portions and force receiving members disposed at opposite ends (see fig above);

cl. 10:

shaft, stub, blade, receiver are coaxial (fig 2);

cl. 11:

stub outer & receiving portion inner surfaces capable of allowing a sufficient but minimal amount of play (fig 3);

independent cl. 12:

lawnmower blade comprising:

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a blade body, cutting portions & platform (12)

a receiver coupled to the platform, and the receiver & platform are substantially coaxial (fig 2) including:

flexible members (spring clips 13) including:

first and second portions disposed at opposite ends (see fig above);

cl. 13:

first portions of the flexible members include bodies for spring like behavior (spring clips 13);

cl. 14:

receiver includes: a receiving portion (central web 22);

cl. 15:

receiving portion inner surface capable of receiving a portion of a rotatable member & allowing a sufficient but minimal amount of play (fig 3);

independent cl. 16:

lawnmower blade comprising:

a blade body, cutting portions & platform (12)

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a receiver coupled to the platform, and the receiver & platform are substantially coaxial (fig 2) including:

a receiving portion (central web 22);

flexible members (spring clips 13) including:

first and second portions disposed at opposite ends (see fig above);

cl. 17:

flexible members include bodies for spring like behavior (spring clips 13);

cl. 18:

receiving portion inner surface capable of receiving a portion of a rotatable member & allowing a sufficient but minimal amount of play (fig 3);

independent cl. 19:

lawnmower blade comprising:

a blade body, cutting portions & platform (12)

a receiver coupled to the platform, and the receiver & platform are substantially coaxial (fig 2) including:

flexible members (spring clips 13) including:

first ends including first portions and second ends including second portions disposed at opposite ends (see fig above);

cl. 20:

first portions of the flexible members include bodies for spring like behavior (spring clips 13);

cl. 21:

receiver includes: a receiving portion (central web 22);

cl. 22:

receiving portion inner surface capable of receiving a portion of a rotatable member  
& allowing a sufficient but minimal amount of play (fig 3);

independent new claim 33:

lawnmower blade comprising:

a blade body, cutting portions & platform (12)

a receiver coupled to the platform, and the receiver & platform are substantially  
coaxial (fig 2) including:

a receiving portion having inner surface & protrusions spaced apart (central  
web 22);

flexible members (spring clips 13) including:

first and second portions disposed at opposite ends (see fig above);



cl. 34:

flexible members include bodies for spring like behavior (spring clips 13);

cl. 35:

capable of receiving a portion of a rotatable member with correspondingly  
configured outer surface.

*Response to Arguments*

4. Applicant's arguments filed 11/02/2006 have been fully considered but they are not persuasive.

Applicant amended each independent claim (cl. 9, 12, 16, 19), and added new claims 33-35.

Applicant's argument in re the Restriction Requirement is moot in view of Applicant canceling claims 23-32. Therefore, claims 23-32 cannot be considered as requested and Restriction Requirement is **no longer applicable**.

Applicant is requested to review the above detailed rejection in view of Applicant's arguments and amendments.

Examiner does not agree with Applicant's characterization of ref. 93 as the "force receiving members." On page 9, line 16, ref 93 is disclosed to be a tapered end of ref 92.

It is appreciated that the Applicant compared Drawing A (Applicant's figures) and Drawing B (prior art's figure). However, it the claim language that is considered in making the rejection as outlined above in greater detail.

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While Applicant's lengthy arguments is appreciated, however, there are no new issues presented from the ones already discussed in greater detail in previous arguments. The differences usually are naming procedure of an element changes over time. With the FINAL action, all responses to Applicant's arguments shall be considered (included) in light of (with the change of) the elements Applicant has changed over the course of prosecution of this case.

*Conclusion*

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

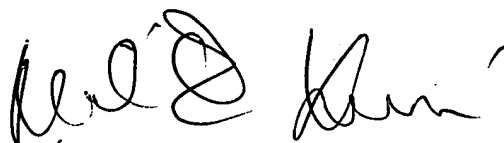
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Árpád Fábián Kovács whose telephone number is 571 272 6990. The examiner can normally be reached on Mo-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will can be reached on 571 272 6998. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Árpád Fábíán Kovács  
Primary Examiner  
Art Unit 3671

ÁFK